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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(COMM) 61/2026**

DELHIVERY LIMITED

.....Plaintiff

Through: Mr. Essenese Obhan, Ms. Anjuri
Saxena and Mr. Mudit Singh, Advocates.

versus

JOHN DOE/ASHOK KUMAR AND OTHERS

.....Defendants

Through:

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **22.01.2026**

I.A. 1768/2026 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

I.A. 1770/2026 (for pre-institution mediation)

3. This application is filed on behalf of the Plaintiff under Section 12-A of the Commercial Courts Act, 2015 seeking exemption from Pre-Institution Mediation.
4. Having regard to the facts of the present case wherein urgent relief is prayed for and in light of the judgment of Supreme Court in *Yamini Manohar v. T.K.D. Keerthi*, (2024) 5 SCC 815, as also Division Bench of this Court in *Chandra Kishore Chaurasia v. RA Perfumery Works Private Ltd.*, 2022 SCC OnLine Del 3529, exemption is granted to the Plaintiff from Pre-Institution Mediation.



5. Application is allowed and disposed of.

I.A. 1769/2026 (u/O XI Rule 1 (4) of Commercial Courts Act, 2015 r/w Section 151 CPC)

6. This application is filed on behalf of the Plaintiff seeking to place on record additional documents within 30 days.

7. Plaintiff, if it wishes to file additional documents at a later stage, shall do so strictly in accordance with provisions of the Commercial Courts Act, 2015.

8. Application is allowed and disposed of.

I.A. 1771/2026 (Exemption from advance service of paper book)

9. This application is filed on behalf of the Plaintiff under Rule 22 of Delhi High Court Intellectual Property Rights Division Rules, 2022 read with Sections 80(2) and 151 CPC seeking exemption from requirement of advance service of paper book on Defendants No. 1, 4, 12 and 13.

10. On account of the urgent relief prayed for by the Plaintiff which needs hearing today, Plaintiff is exempted from serving advance service of paper book on Defendants No. 1, 4, 12 and 13.

11. Application is allowed and disposed of.

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12. Let plaint be registered as a suit.

13. Upon filing of process fee, issue summons to the Defendants through all permissible modes, returnable before the learned Joint Registrar on 30.03.2026.

14. Summons shall state that the written statements shall be filed by the Defendants within 30 days from the receipt of summons along



with affidavits of admission/denial of the documents filed by the Plaintiff.

15. It will be open to the Plaintiff to file replications within 30 days from the date of receipt of written statements along with affidavits of admission/denial of documents filed by the Defendants.

16. If any of the parties wish to seek inspection of any documents, the same be sought and given the timeline prescribed in Delhi High Court (Original Side) Rules, 2018.

17. Learned Joint Registrar will carry out admission/denial of documents and marking of exhibits.

I.A. 1767/2026 (u/O XXXIX Rules 1 and 2 r/w Section 151 CPC)

18. This application is filed on behalf of the Plaintiff under Order XXXIX Rules 1 and 2 read with Section 151 of CPC for grant of *ex-parte ad-interim* injunction.

19. Issue notice to the Defendants, through all permissible modes, returnable on 19.03.2026 before Court.

20. Case of the Plaintiff as set out in the plaint, is that Plaintiff is India's largest fully integrated logistics provider. Plaintiff was established in 2011 and since its inception has fulfilled over 2 Billion orders across India. Plaintiff has built a nationwide network that serves more than 18,700 pin codes and has its presence in every State across India. With the wide network established by the Plaintiff along with 24 automated centers, 2,880 direct delivery services and a team of over 57,000 persons, Plaintiff has become a trusted brand for customers with respect to delivery services.



21. It is stated that Plaintiff under its trademarks, 'DELHIVERY',






, provides supply chain solutions to over 30,000 active customers which includes e-commerce marketplaces, direct-to-consumer e-tailers and enterprises and SMEs across several verticals such as FMCG, consumer durables, consumer electronics, lifestyle, retail, automotive and manufacturing.

22. It is stated that Plaintiff was initially incorporated as SSN Logistics Private Limited in June, 2011 and thereafter in December, 2015 it was rebranded as Delhivery Private Limited and later renamed as Delhivery Limited in October 2021. In May, 2022 Plaintiff made its debut in the Indian Stock Market and is now a listed company at the National Stock Exchange. Plaintiff operates an active website in its name available at www.delhivery.com/, which has been registered since March 2011. Plaintiff has widespread presence on social media platforms, including but not limited to X (formerly Twitter), Facebook, LinkedIn, YouTube, Instagram.

23. It is stated that Plaintiff's extensive, continuous and exclusive use of the DELHIVERY trademarks has made it an indelible part of Plaintiff's brand identity. In order to secure statutory protection of its DELHIVERY trademarks, Plaintiff obtained registrations in different classes as follows:-



Sr. No.	Application No.	Mark/Label	Class	Date of Application	User Detail
1.	2201018	DELHIVERY	35	06.09.2011	01.04.2008
2.	2201019	DELHIVERY	39	06.09.2011	01.04.2008
3.	2771125		35	10.07.2014	19.05.2014
4.	2771126	DELHIVERY	42	10.07.2014	01.04.2008
5.	2771127		35	10.07.2014	19.05.2014
6.	2771128		39	10.07.2014	19.05.2014
7.	2771129		39	10.07.2014	19.05.2014





8.	2771130		42	10.07.2014	19.05.2014
9.	2771131		42	10.07.2014	19.05.2014
10.	3098863		35	17.11.2015	20.10.2015
11.	3098864		39	17.11.2015	20.10.2015
12.	3098865		39	17.11.2015	20.10.2015
13.	3098866		42	17.11.2015	20.10.2015
14.	3098867		42	17.11.2015	20.10.2015
15.	3098877	ENABLING ECOMMERCE	35	17.11.2015	20.10.2015
16.	3098878	ENABLING ECOMMERCE	39	17.11.2015	20.10.2015
18.	3098880		35	17.11.2015	20.10.2015



19.	3098868		35	17.11.2015	20.10.2015
20.	3098869		35	17.11.2015	20.10.2015
21.	3098870		39	17.11.2015	20.10.2015
22.	3098871		39	17.11.2015	20.10.2015
23.	3098872		42	17.11.2015	20.10.2015
24.	3098873		42	17.11.2015	20.10.2015
25.	3098874		35	17.11.2015	20.10.2015
26.	3098875		39	17.11.2015	20.10.2015
27.	3098876		42	17.11.2015	20.10.2015
28.	3928283		35	28.08.2018	Proposed to be used



29.	3928284		39	28.08.2018	Proposed to be used
30.	3928285		42	28.08.2018	Proposed to be used
31.	3928286		42	28.08.2018	Proposed to be used
32.	3928287		35	28.08.2018	Proposed to be used
33.	3928288		39	28.08.2018	Proposed to be used
34.	3928289		35	28.08.2018	Proposed to be used
35.	3928290		39	28.08.2018	Proposed to be used
36.	3928291		42	28.08.2018	Proposed to be used
37.	3928292		35	28.08.2018	Proposed to be used
38.	3928293		39	28.08.2018	Proposed to be used



39.	3928294	DELHIVERY	42	28.08.2018	Proposed to be used
40.	3928295	Small World	35	28.08.2018	Proposed to be used
41.	3928296	Small World	39	28.08.2018	Proposed to be used
42.	3928297	Small World	42	28.08.2018	Proposed to be used

24. It is stated that some of these registrations are valid and subsisting and have been renewed from time to time. Plaintiff has been using the DELHIVERY trademarks ever since their inception, openly, continuously, and extensively in India. The growing revenues are indicative of increasing goodwill and reputation of the Plaintiff and the marks are distinctive of the Plaintiff and associated with it. Increasing revenues for services rendered between April, 2011 to March, 2025 are as follows:-

Financial Year	Total Revenue (in millions - INR)
April, 2011 – March, 2012	5.24
April, 2012 – March, 2013	170.84
April, 2013 – March 2014	619.05
April, 2014 – March 2015	2,284.90
April, 2015 – March 2016	5,238.54
April, 2016 – March 2017	7,513.31
April, 2017 – March 2018	10,708.03
April, 2018 – March 2019	16,949.65
April, 2019 – March 2020	29,864.37
April, 2020 – March 2021	36,991.71
April, 2021 – March 2022	60,808.56
April, 2022 – March 2023	69,898.35
April, 2023 – March 2024	79,294.31
April, 2024 – March 2025	87,088.33



25. It is stated that Plaintiff has expended large sums of money on promotion of its brand through print, electronic, digital and outdoor media etc. and the expenses incurred from April, 2011 to March, 2025 are as follows:-

Financial Year	Total Expenses (in millions - INR)
April, 2011 – March, 2012	0.03
April, 2012 – March, 2013	-
April, 2013 – March 2014	0.05
April, 2014 – March 2015	2.19
April, 2015 – March 2016	18.61
April, 2016 – March 2017	2.09
April, 2017 – March 2018	0.50
April, 2018 – March 2019	1.50
April, 2019 – March 2020	18.58
April, 2020 – March 2021	15.88
April, 2021 – March 2022	116.83
April, 2022 – March 2023	206.46
April, 2023 – March 2024	351.18
April, 2024 – March 2025	315.35






26. It is stated that the success and popularity of Plaintiff's brand is fortified by the various awards and recognitions received by the Plaintiff for exceptional services offered and these include: Company of the Year Award; Digital Logistics Shakti Award; SCRS Award etc.

27. It is stated that Defendants No.1 to 6 are colluding with each other and perpetuating a scam by unauthorizedly using Plaintiff's trademarks and literary work and creating a network to dupe innocent individuals under the guise of offering franchise opportunities and delivery services as and/or on



behalf of the Plaintiff. Defendant No.1 is a John Doe i.e an entity of individuals, who are misusing Plaintiff's trademark by misrepresenting as Plaintiff's representatives and fraudulently offering franchise opportunities and other services to individuals and extracting money. Defendants No.2, 3 and 4 are individuals who are impersonating as employees/executives of the Plaintiff and reaching out to many to offer services. Defendants No.5 and 6 are using the impugned domain names 'delhiverydistributars.com' and 'delhiverypartner.com' respectively, and sending e-mails to innocent individuals, offering Plaintiff's franchise for illegal monetary gains.

28. It is stated that Defendants No.7 and 8 are Indian Banks in which bank accounts of Defendant No.1 are registered. Defendant No.9 is an umbrella organization for operating retail payments and settlement systems in India and has been impleaded owing to the fact that Defendants No.1 to 6 who have illegally extracted monies through money transfers to bank accounts, likely to be linked with UPI addresses and Defendant No.9 will be in a position to provide the necessary KYC details. Defendants No.10 and 11 are Telecom Service Providers (TSPs) while Defendant No.12 is the concerned Ministry and Defendant No.13 is the Department of Telecommunications. Defendants No.14, 15 and 16 are Domain Name Registrars (DNRs).

29. Learned counsel for the Plaintiff submits that Defendants No.1 to 6 are colluding with each other and collectively infringing Plaintiff's registered DELHIVERY trademarks. They have copied Plaintiff's trademarks 'DELHIVERY', , , , , , and have also adopted nearly identical mark



“DELHEVERY”, to offer franchise/distributorship as well as the delivery services offered by the Plaintiff. Plaintiff has registrations in its marks and by virtue of Section 28 of Trade Marks Act, 1999 (‘1999 Act’), it is entitled to exclusively use the marks as also restrain third parties from infringing them. Defendants No.1 to 6 are using identical/deceptively similar marks for identical services, which amounts to infringement under Section 29 of the 1999 Act. Comparative chart of rival marks is as follows:-

Plaintiff's trade marks	Marks Used by Defendant Nos. 1 – 6
Plaintiff's domain name	Infringing Domains
www.delhivery.com	www.delhevery.com delhiverycourierfranchise. com delhiverydistibutars.com delhiverypartner.com



30. It is argued that Plaintiff has copyright in the literary work and perusal of “Delhivery Franchise Prospectus” document, which was shared by Defendant No. 2 with one of the complainants i.e. Mr. Das indicates that Defendant No. 2 has copied Plaintiff’s literary work and has reproduced a nearly identical version of the work, without any authorization, which amounts to violation of Plaintiff’s rights vested under Section 14 of Copyright Act, 1957. Comparison of Plaintiff’s literary work and work illegally incorporated by Defendant No. 2 in its Delhivery Franchise Prospectus, is as follows:

Plaintiff’s Literary Work (“literary work”)	Defendant No. 2’s Document
<p>About Delhivery</p> <p>We are India’s largest fully integrated logistics provider. We aim to build the operating system for commerce, through a combination of world class infrastructure, logistics operations of the highest quality and cutting-edge engineering and technology capabilities.</p> <p>Since its inception in 2011, our team has successfully fulfilled over 2 billion orders across India. We have built a nation-wide network with a presence in every state, servicing over 18,000 pin codes, 50 automated sort centres, 223 gateways, 4,500+ direct delivery centres, and a team of over 74,000+ people make it possible for us to deliver 24 hours a day, 7 days a week, 300 days a year.</p>	<p>FRANCHISE GUIDE FOR GETTING A FRANCHISE OF DELHIVERY.</p> <p>No Limits to your Success with DELHIVERY Franchise Opportunities</p> <p>ABOUT US</p> <p>We are India’s largest fully integrated logistics provider. We aim to build the operating system for commerce, through a combination of world-class infrastructure, logistics operations of the highest quality and cutting-edge engineering and technology capabilities.</p> <p>Since its inception in 2011, our team has successfully fulfilled over 2 billion orders across India. We have built a nation-wide network with a presence in every state, servicing over 18,000 pin codes, 24 automated sort centres, 94 gateways, 2000 direct delivery centres, and a team of over 57,000 people make it possible for us to deliver 24 hours a day, 7 days a week, 365 days a year.</p> <p>WHAT IS FRANCHISE</p> <p>FRANCHISE</p>

31. It is submitted that with consistent hard work and continuous and extensive use of the DELHIVERY trademarks in the concerned field and domain, Plaintiff has built an enviable and immense goodwill and reputation for itself. The DELHIVERY trademarks of the Plaintiff are registered and the registration grants statutory right to the Plaintiff to restrain Defendants No.1 to 6 from infringing them. The *modus operandi* adopted by Defendants



No.1 to 6 has been detailed in paragraph 32 onwards of the plaint and there is no doubt that they are blatantly and openly infringing. Illustratively, it is brought forth that the said Defendants, in collusion with each other, are misrepresenting themselves as representatives of the Plaintiff and: offering franchise/distributorship rights; charging registration fee as also exorbitant Refundable Security Deposit; accepting money online for distributorship rights; creating a website www.delhevery.com; and adopting deceptively similar mark in their domain name, which was found to be fake when Plaintiff attempted to access it by using a package tracking number/AWB number of a genuine package booked by one of its employees.

32. Having heard learned counsel for the Plaintiff and on perusal of the averments in the plaint and also the documents filed along with it, I am of the view that Plaintiff has made out a *prima facie* case for grant of *ex parte ad interim* injunction. Balance of convenience lies in favour of the Plaintiff and it is likely to suffer irreparable harm in case *ex parte ad interim* injunction as prayed for, is not granted.

33. Plaintiff is stated to be India's largest fully integrated logistics provider with a nationwide network providing its logistics services in almost every Indian State. Plaintiff is a registered proprietor of the DELHIVERY trademarks and by virtue of registration it has acquired the right to exclusive use of the marks as also protecting them from infringement by third parties under Section 28 of 1999 Act. Plaintiff also has a copyright in the literary work, as aforementioned, and by virtue of Section 51 of the 1957 Act, it has a statutory right to protect its copyright. Comparison of the impugned marks used by Defendants No.1 to 6 shows that they are identical/deceptively similar to the registered DELHIVERY trademarks of the Plaintiff and are



being used for identical services. The confusion amongst the members of public and consumer is, therefore, inevitable. Plaintiff has built a formidable goodwill and reputation through its services and it is *prima facie* evident that Defendants No.1 to 6 are offering services either by misrepresenting themselves as employees/executives of the Plaintiff or by using the impugned marks and the intent is to ride on the goodwill and reputation of the Plaintiff. The impugned marks being identical/deceptively similar and the consumer base and trade channels being common, there is every likelihood of confusion amongst members of the trade and consumers. In fact, Plaintiff has placed on record several complaints emanating from confusion owing to misrepresentation by Defendants No.1 to 6. Plaintiff has made out a *prima facie* case of infringement of its DELHIVERY trademarks as also copyright and/or passing off and is entitled to seek *ex parte ad interim* injunction against Defendants No.1 to 6.

34. Accordingly, till the next date of hearing, the following directions are issued:-

(a) Defendants No. 1 to 6 and all other persons acting on their behalf, are restrained from using Plaintiff's trademarks 'DELHIVERY',



, including any other mark identical and/or deceptively similar to Plaintiff's trademarks, in any form or variant and through any mode such as use in e-mails, domain names, letter heads, franchise letters, agreements, etc., in any manner whatsoever, amounting to infringement of Plaintiff's DELHIVERY



trademarks and/or copyright and/or amounting to passing off their services/business as that of the Plaintiff.

- (b) Defendant No.14 shall suspend and lock the domain name of Defendant No.1 i.e. www.delhevery.com; Defendant No. 15 shall suspend and lock the domain name: delhiverycourierfranchise.com; and Defendant No. 16 shall suspend and lock domain names delhiverydistributars.com and delhiverypartner.com.
- (c) Defendant No.7 shall provide KYC details of Defendant No.1's bank account No.5897449651 and Defendant No.2's bank account No.5658427552 and their associated UPI IDs and shall block/suspend the said accounts. Defendant No.8 shall provide KYC details of Defendant No.3's bank account No.4751194000011276 and associated UPI IDs and shall block/suspend the said account. Defendant No.9 shall provide other details of Defendants No.1 to 6 such as full names, e-mail addresses and residential addresses etc. The details shall be provided in password protected documents and/or sealed covers.
- (d) Defendant No.10 shall disclose full names, e-mail addresses and residential addresses of Defendants No.2 to 6 pertaining to contact numbers: Defendant No.2 – 7602483743; Defendant No.3 – 9163446099; Defendant No.4 – 9748434279; and Defendants No.5 and 6 – 8944850503. Defendant No.11 shall disclose the aforesaid details in respect of Defendant No.1 pertaining to contact number 8431644709.
- (e) Defendant No.14/NameMart Pte. Ltd. shall suspend the domain name of Defendant No.1 i.e. www.delhevery.com; Defendant



No.15/HOSTINGER operations, UAB shall suspend the domain name delhiverycourierfranchise.com; and Defendant No.16/ Domainshype.com, LLC shall suspend the domain name of Defendant No.5 – delhiverydistributars.com and of Defendant No.6 – delhiverypartner.com.

35. Plaintiff shall comply with the provisions of Order XXXIX Rule 3 CPC within a period of 10 days from today.

JYOTI SINGH, J

JANUARY 22, 2026

S.Sharma